

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ORIYON ABRAHA,

Plaintiff,

v.

CITY OF SEATTLE, et al.,

Defendants.

No. C06-379Z

ORDER

THIS MATTER comes before the Court on Defendant City of Seattle's Motion for Summary Judgment, docket no. 62. Having considered the papers filed in support of the motion, the absence of response thereto, and the record, the Court GRANTS Defendant's Motion for Summary Judgment.

I. BACKGROUND

Plaintiff claims that Defendant, City of Seattle, violated his civil rights pursuant to 42 U.S.C. § 1983.¹ Amended Compl. at p. 13-15 (docket no. 10). In addition, Plaintiff alleged various state claims which were dismissed with prejudice. Order (docket no. 39). Plaintiff is currently *pro se* because Paul Richmond, Plaintiff's former counsel, was permitted to withdraw in July. Order (docket no. 60).

¹ Plaintiff moved to amend his complaint on April 27, 2007. Docket no. 46. The Court granted this motion, docket no. 52, but Plaintiff never filed his amended complaint.

1 Plaintiff was served with requests for admission on October 8, 2007. Exh. 1 attached
2 to Carr Decl., docket no. 73. The requests were sent to Plaintiff's address at 452 12th Ave.,
3 Seattle, Washington. Id. The requests informed Plaintiff that failing to answer the requests
4 within thirty days from the date of service would result in an automatic admission of the
5 matters requested. Id.; See Fed. R. Civ. P. 36(a). As of this time, Plaintiff has not responded
6 to these requests.

7 Defendant filed the present motion for summary judgment on October 10, 2007.
8 Defendant's Mot. for Sum. J. (docket no. 62). The motion was noted for November 2, 2007
9 and Plaintiff's response was due on October 29, 2007. Id.; Local Rule CR 7(d)(3). Plaintiff
10 has not responded to this motion nor has he given the Court, or any of the parties, any
11 indication that he intends to respond. Carr Decl., docket no. 73, ¶ 2.

12 II. DISCUSSION

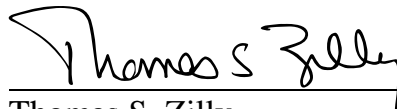
13 Having failed to respond to any of the requests for admission, Plaintiff is deemed to
14 have admitted the matters set forth. Fed. R. Civ. P. 36(a).

15 Having failed to file any response to Defendant's motion for summary judgment
16 Plaintiff is deemed to have admitted the merits of Defendant's motion. Local Rule 7(b)(2).

17 Accordingly, the Court GRANTS the Defendant's Motion for Summary Judgment,
18 docket no. 62, and dismisses all of Plaintiff's claims against Defendant with prejudice.

19 IT IS SO ORDERED.

20 DATED this 30th day of November, 2007.

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23 Thomas S. Zilly
24 United States District Judge
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